



**Project #16-019
Miller Auto Body Addition
Located at 50 East 1000 North**

REPORT SUMMARY...

Project Name: Miller Auto Body Addition
Proponent / Owner: Jeff Miller / Robert Miller
Project Address: 50 East 1000 North
Request: Conditional Use & Design Review Permit
Current Zoning: Commercial (COM)
Type of Action: Quasi-Judicial
Hearing Date: April 28, 2016
Submitted By: Russ Holley, Senior Planner

RECOMMENDATION

Staff recommends that the Planning Commission **conditionally approve** a Conditional Use and Design Review Permit for Project #16-019, Miller Auto Body Addition, in the Commercial (COM) zone located at 50 East 1000 North, TIN #05-024-0017.

Current Land use adjoining the subject property

| | | | |
|---------------|-----------------------------|--------------|----------------------|
| <i>North:</i> | COM: Commercial Uses | <i>East:</i> | REC: Municipool |
| <i>South:</i> | PUB: Mt Logan Middle School | <i>West:</i> | COM: Commercial Uses |

CONDITIONAL USE PERMIT

Project Proposal

The applicant is proposing a building addition for a legally existing non-conforming vehicle repair business (Miller Auto Body) on a 3.92 acre property located at 50 East 1000 North. The property also contains a car wash and a large vacant area directly adjacent to 1000 North. There is an existing parking lot located along the west boundary and an outdoor storage lot along the south side bordering the Middle School. The building addition is proposed on the south side of the existing shop located near the center of the property and would be approximately 3,200 SF in size. The COM zoning district only permits vehicle service land uses not vehicle repair.

The Land Development Code (LDC) 17.59.050 allows the enlargement of a legally existing nonconforming use with a Conditional Use Permit, which includes but is not limited to additional land area, floor area and accessory uses and buildings. The Planning Commission may, at its discretion, approve a conditional use permit to expand a nonconforming use (17.59.030.C) if it can substantiate that correct hearing procedures are followed and that the proposal is found to be compatible with surrounding land uses.

Concerning surrounding compatibility, the major impacts of vehicle repair tend to be outdoor storage yards, circulation, lighting and noise, all of which currently exist. The addition to the building will create additional space inside for vehicle repair activities and should not change current outdoor conditions or storage areas. As conditioned with landscaping around the west side of the addition, the project will not compromise neighborhood compatibility and meets the requirements in the LDC.

DESIGN REVIEW PERMIT

Proposal

This is a proposal for a new 3,200 SF single-story commercial building addition on a portion of the south façade. The west façade of the addition is proposed at 32' in width. The area is difficult to see from the public street, as it is setback from approximately 255' and behind a

separate parcel with a small building used for car rental/sales. The addition is proposed with a sloped roof and matches the red color and materials of the existing building.

Setbacks

The Land Development Code (LDC) requirements for setbacks in the GW zone are as follows (as measured from property lines):

| | |
|----------|-----|
| Front: | 10' |
| Side: | 5' |
| Rear: | 10' |
| Parking: | 15' |

The following setbacks are proposed (as measured from the exterior property lines of the project site, at closest points):

| | |
|----------------|---------------------|
| Front (North): | 125' |
| Side (East): | 330' |
| Side (West): | 255' |
| Rear (South): | 80' |
| Parking : | No Changes Proposed |

As proposed, the building addition meets minimum setback requirements of the LDC.

Lot Coverage

The LDC 17.19.100 establishes a maximum lot coverage of 60% (building(s) footprint) in the COM zone. The existing property is approximately 182,900 SF (4.2 acres) with both existing buildings totaling 30,500 SF for lot coverages of 17%. With a proposed 3,200 SF building addition, that would bring the lot coverage up to 18%. As proposed, the building lot coverage complies with maximum allowances in the LDC.

Building Design

The proposed building addition is more than 255' from the nearest public street. Existing fencing, parking areas and structures on adjacent property all obscure views from Main Street and in staff's view, eliminate the need for building design requirements in the LDC.

Site Layout

The proposed addition slightly adjusts circulation as the south side of the building expands, but overall circulation patterns are not changed.

Parking Numbers

The LDC 17.38.070 requires three (3) parking stalls per every repair bay for vehicle repair land uses. With nine repair bays a total of 27 parking stalls are required by the LDC. The property currently has 46 on-site parking stalls. As submitted, the project complies with the LDC.

Open Space and Landscaping

The LDC 17.19.100 requires 10% open space and an additional 10% useable outdoor space of the project site. The LDC 17.35 generally describes open space as native vegetation or landscaped areas, while useable outdoor space is typically decks, patios, sidewalks and other similar amenities. The 4.2 acre (182,952 SF) property has a vacant area, currently for sale, and a car wash that take up approximately 69,000 SF, leaving approximately 113,952 SF for the auto repair business. At 113,952 SF (2.6 acres), a total of 11,395 SF of landscaping and 11,395 SF of usable outdoor space would be required by the LDC, however; typically with smaller additions and remodels, staff only considers the areas impacted by the proposal. With a 3,200 SF building addition proposed, a total of 640 SF of landscaping and outdoor space would be required. Currently, the auto repair business has approximately 5,000 SF of landscaping and 500 SF of outdoor space. As conditioned with the 640 SF of additional open space, the proposed building addition area fully complies with the LDC and the overall property moves closer to compliance with the requirements of the LDC.

Lighting

The LDC 17.37.090 requires adequate lighting that adds aesthetic quality and improves safety while mitigating unnecessary glare, sky glow and light trespass. The LDC limits freestanding pole height to 32 feet and luminaire fixtures on buildings and canopies to be concealed source, down-cast and shielded from neighboring properties. Light measurements are required to range between 0.5 – 4.0 foot candles, so areas are sufficiently safe, but not excessively bright. As submitted, no exterior lighting has been shown. As conditioned, the project meets the requirements of the LDC.

AGENCY AND CITY DEPARTMENT COMMENTS

Comments were solicited from the following departments or agencies:

| | |
|--------|---------|
| • Fire | • Water |
|--------|---------|

PUBLIC COMMENTS

Notices were mailed to property owners within 300 feet of the subject property. As of the time of this report, no comment had been received.

PUBLIC NOTIFICATION

Legal notices were published in the Herald Journal on 4/14/16 and the Utah Public Meeting website on 4/18/16. Public notices were mailed to all property owners within 300 feet of the project site on 4/11/16.

RECOMMENDED CONDITIONS OF APPROVAL

This project is subject to the proponent or property owner agreeing to comply with the following conditions as written, or as may be amended by the Planning Commission.

1. All standard conditions of approval will be recorded with the Design Review and are available in the Community Development Department.
2. A performance landscaping plan, prepared in accordance with §17.39 of the LDC, shall be submitted for approval to the Community Development Department prior to the issuance of the building permit. The plan shall include the following:
 - a) New open space landscaping near the building addition site that total a minimum of 640 SF.
3. All dumpsters associated with the building addition shall be visually screened or buffered from public streets by using landscaping, fencing or walls.
4. Exterior lighting associated with the building addition or planned in the future shall be concealed source, down-cast and shall not illuminate or cast light onto adjacent properties.
5. Fencing around the outdoor storage shall remain six feet tall and have solid screening properties. Slated chain link is sufficient. All new fences shall be approved and permitted by staff in accordance with the Land Development Code.
6. Prior to issuance of a Building Permit, the Director of Community Development shall receive a written memorandum from each of the following departments or agencies indicating that their requirements have been satisfied:
 - a. *Fire—contact 716-9515*
 - Extend fire sprinklers into building addition.
 - b. *Water—contact 716-9622*
 - If water is to be run into this addition it must have all points of use back flow protection such as air gaps. If this cannot be done because of direct connections then back flow assemblies and or devices must be installed according to hazard rating. Please contact myself for any further assistance.
 - If a fire suppression system is required the riser will need a minimum DC (ASSE1015) and tested.
 - If landscaping irrigation is affected by this construction it will need to be brought to today's standards (high hazard) assembly and retested.

- Please follow all back flow rules during construction.

RECOMMENDED FINDINGS FOR APPROVAL FOR THE DESIGN REVIEW AND CONDITIONAL USE PERMIT

The Planning Commission bases its decisions on the following findings supported in the administrative record for this project:

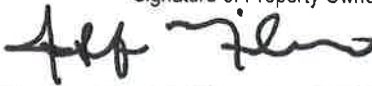

1. The proposed project is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjacent properties because of the building design, site layout, materials, landscaping, and setbacks.
2. As conditioned with additional landscaping, the expansion of the non-conforming use is compatible with surrounding land uses justifying a conditional use permit be granted to allow the existing business to continue and compete in current marketplace conditions.
3. The Design Review and Conditional Use Permit conform to the requirements of Title 17 of the Logan Municipal Code.
4. As conditioned, the proposed project provides proportionate open space and useable outdoor space to the addition.
5. The proposed project provides adequate off-street parking.
6. The proposed project complies with maximum height, density and building design standards and is in conformance with Title 17.
7. The project met the minimum public noticing requirements of the Land Development Code and the Municipal Code.
8. 1000 North provide access and are adequate in size and design to sufficiently handle all traffic modes and infrastructure related to the land use.

This staff report is an analysis of the application based on adopted city documents, standard city development practices, and available information. The report is to be used to review and consider the merits of the application prior to and during the course of the Planning Commission meeting. Additional information may be revealed by participants at the Planning Commission meeting which may modify the staff report and become the Certificate of Decision. The Director of Community Development reserves the right to supplement the material in the report with additional information at the Planning Commission meeting.



APPLICATION FOR PROJECT REVIEW

☒ Planning Commission ☐ Land Use Appeal Board ☐ Administrative Review

| | | | | |
|---|-------------------------------|----------------------|--|--|
| Date Received 03/24/2016 | Received By <i>A. Reed</i> | Receipt Number | Zone COM | Application Number PC 16-019 |
| Type of Application (Check all that apply): <input checked="" type="checkbox"/> Design Review <input checked="" type="checkbox"/> Conditional Use <input type="checkbox"/> Subdivision <input type="checkbox"/> Zone Change <input type="checkbox"/> Administrative Design Review <input type="checkbox"/> Code Amendment <input type="checkbox"/> Appeal <input type="checkbox"/> Variance <input type="checkbox"/> 4950' Design Review <input type="checkbox"/> Other _____ | | | | |
| PROJECT NAME MILLER AUTO BODY ADDITION | | | | |
| PROJECT ADDRESS 50 E. 1000 N. | | | COUNTY PLAT TAX ID # 05 - 024 - 0017 | |
| AUTHORIZED AGENT FOR PROPERTY OWNER (Must be accurate and complete) JEFF MILLER | | | MAIN PHONE # (435) 752-0525 | |
| MAILING ADDRESS 50 E. 1000 N. | CITY LOGAN | STATE UTAH | ZIP 84321 | |
| EMAIL ADDRESS jeffemillerautobodyinc.com | | | | |
| PROPERTY OWNER OF RECORD (Must be listed) ROBERT MILLER | | | MAIN PHONE # (435) 752-0525 | |
| MAILING ADDRESS 50 E. 1000 N. | CITY LOGAN | STATE UTAH | ZIP 84321 | |
| EMAIL ADDRESS robert@millerautobodyinc.com | | | | |
| DESCRIBE THE PROPOSED PROJECT AS IT SHOULD BE PRESENTED (Include as much detail as possible - attach a separate sheet if needed) conditional use permit for expansion of a legally existing nonconforming use of a vehicle repair business and design review of a 3200 SF addition | | | Total Lot Size (acres) 3.92 AC | |
| | | | Size of Proposed New Building (square feet) 3200 SF | |
| | | | Number of Proposed New Units/Lots 0 | |
| | | | - NO SITE ACTIVITY MAY OCCUR UNTIL AFTER APPROPRIATE COMMITTEE APPROVAL - | |
| I certify that the information contained in this application and all supporting plans are correct and accurate. I also certify that I am authorized to sign all further legal documents and permits on behalf of the property owner. | | | Signature of Property Owner's Authorized Agent  | |
| I certify that I am the property owner on record of the subject property and that I consent to the submittal of this project. I understand that all further legal documents and permits will be sent to my authorized agent listed above. | | | Signature of Property Owner  | |

SW⁴ Section 27 Township 12 North, Range 1 East ~

05-024

Scale 1 Inch = 100 Feet

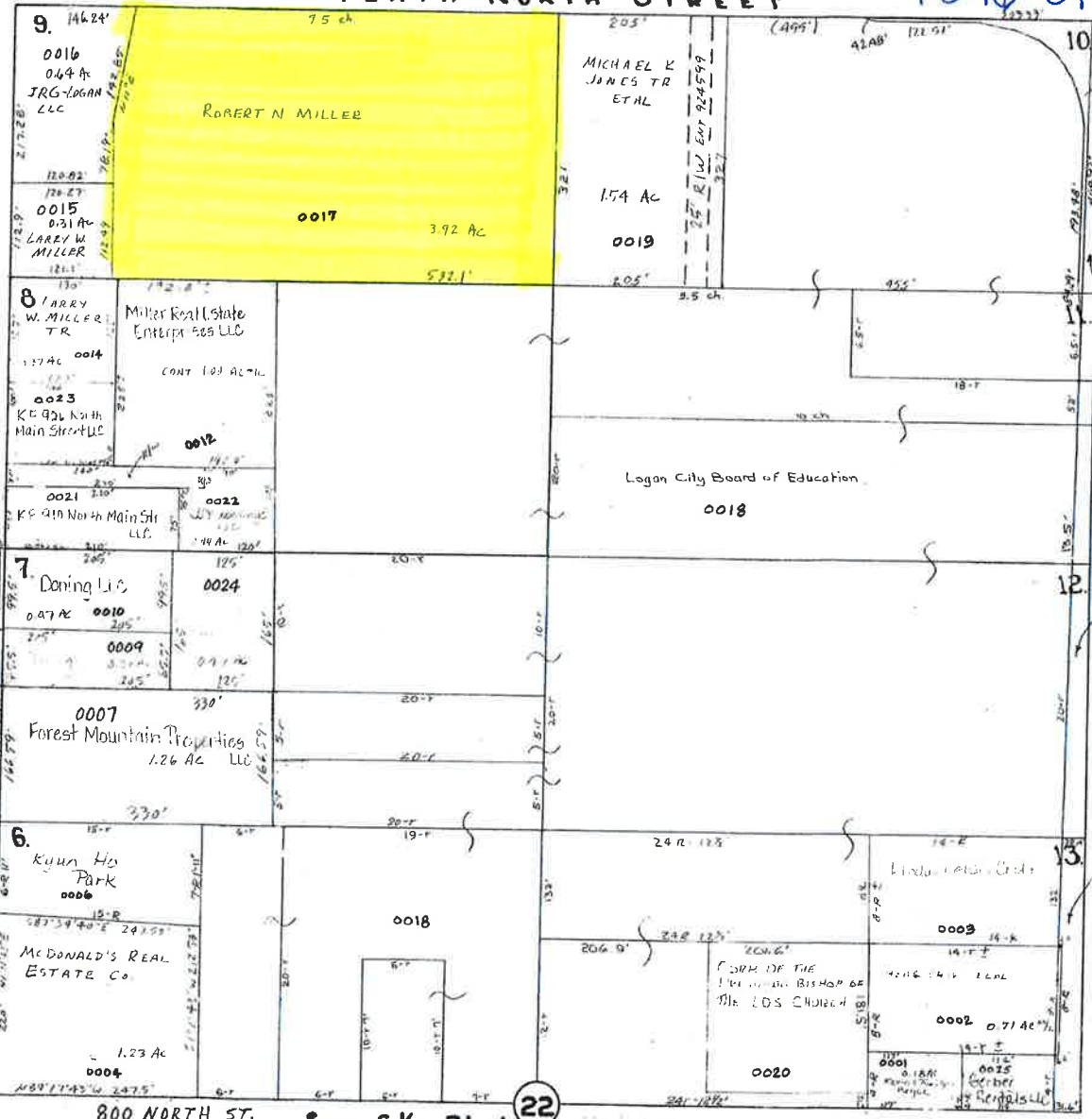
N $\frac{1}{2}$ BLOCK 22 PLAT "A" LOGAN FARM

TAX UNIT 27

TENTH NORTH STREET

PC 16-019

SEE 05-046
MAIN STREET



SEE 05-021
SECOND EAST STREET

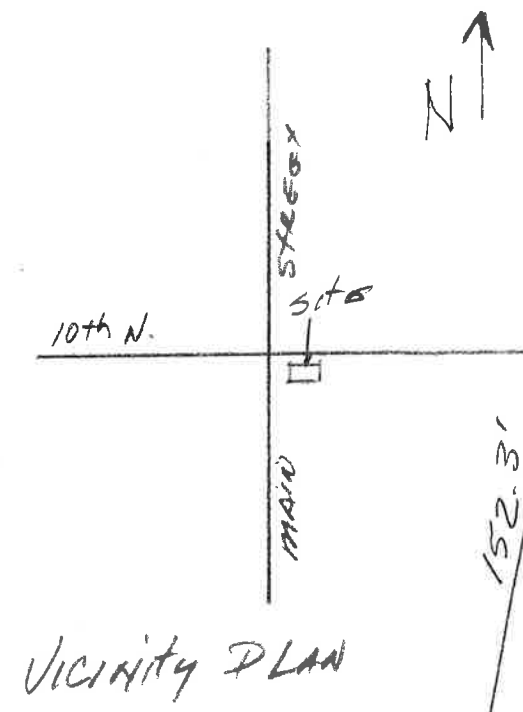
SEE 05-022

800 NORTH ST.

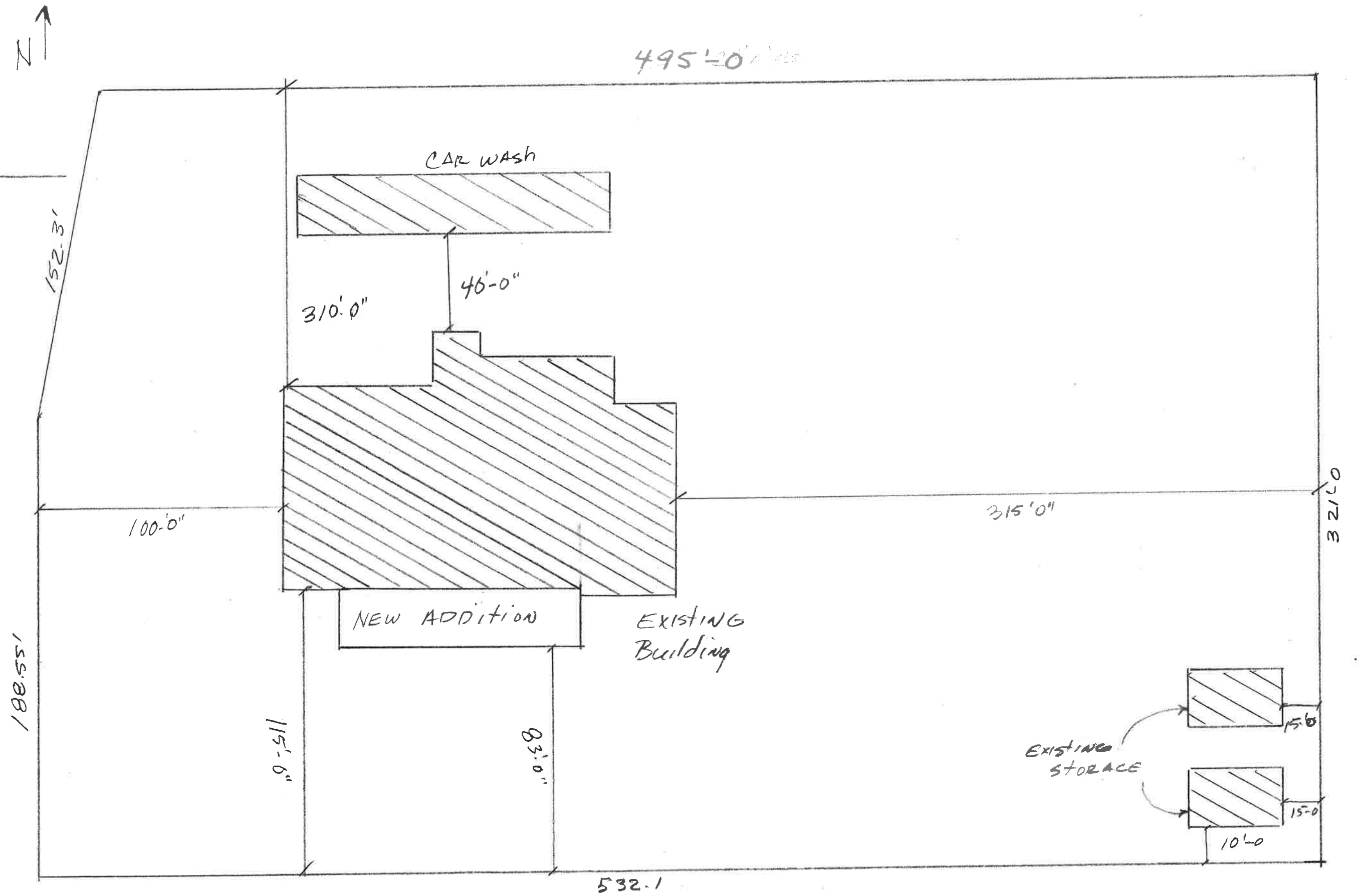
See S $\frac{1}{2}$ Block

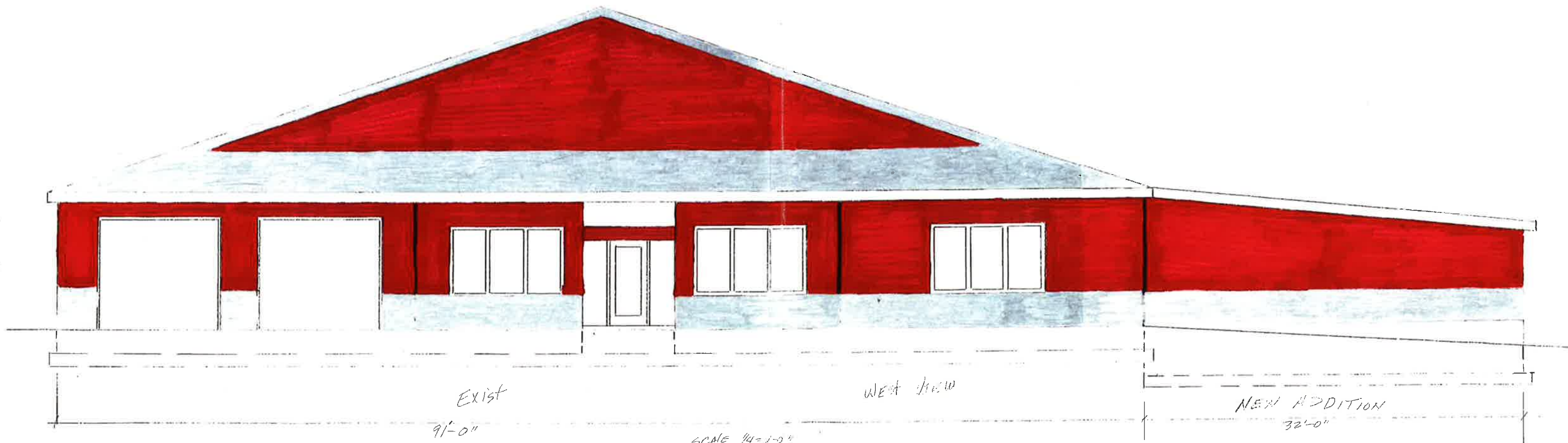
22

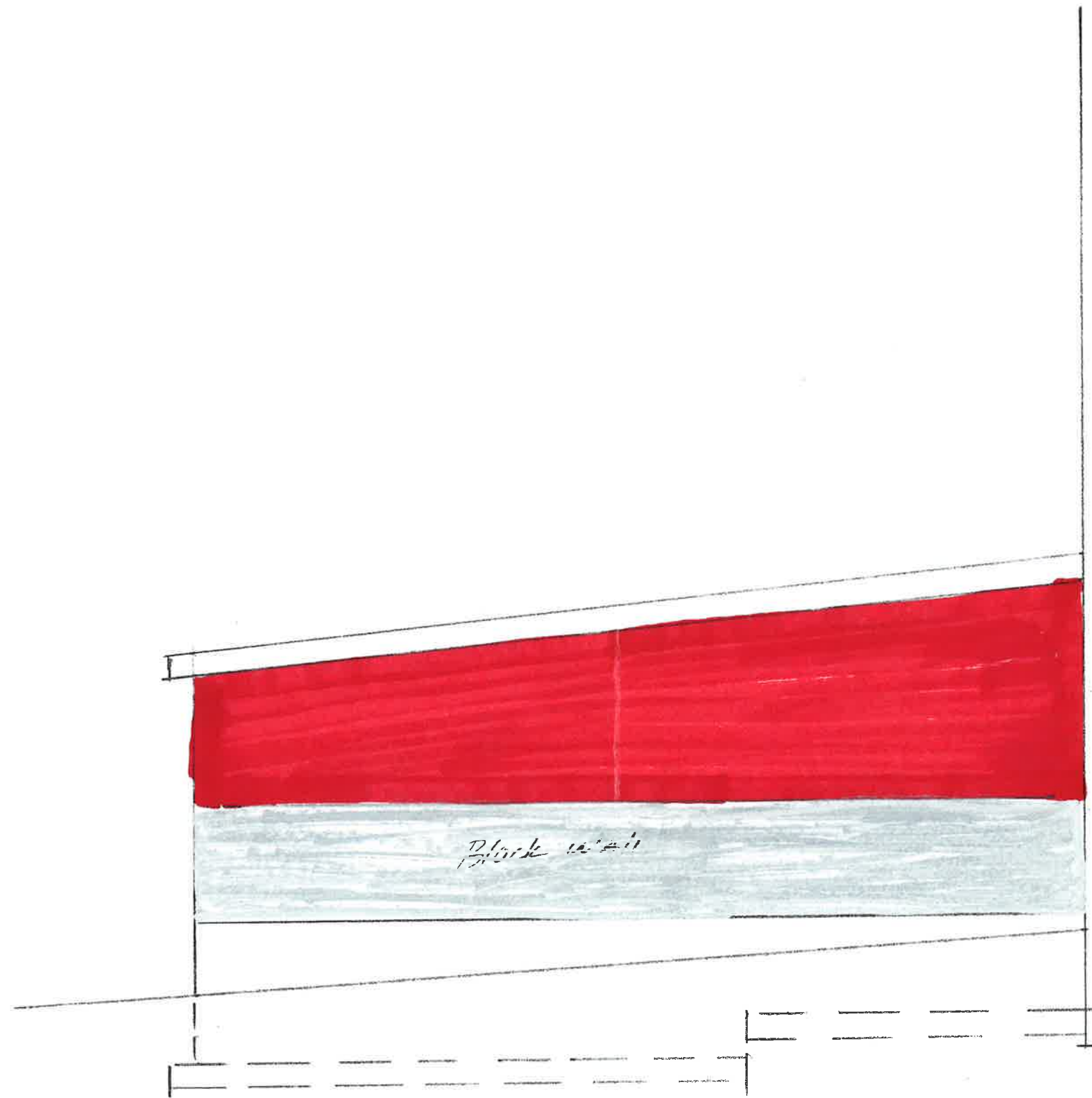
SEE 05-025



SITE PLAN
1" = 40' 0"



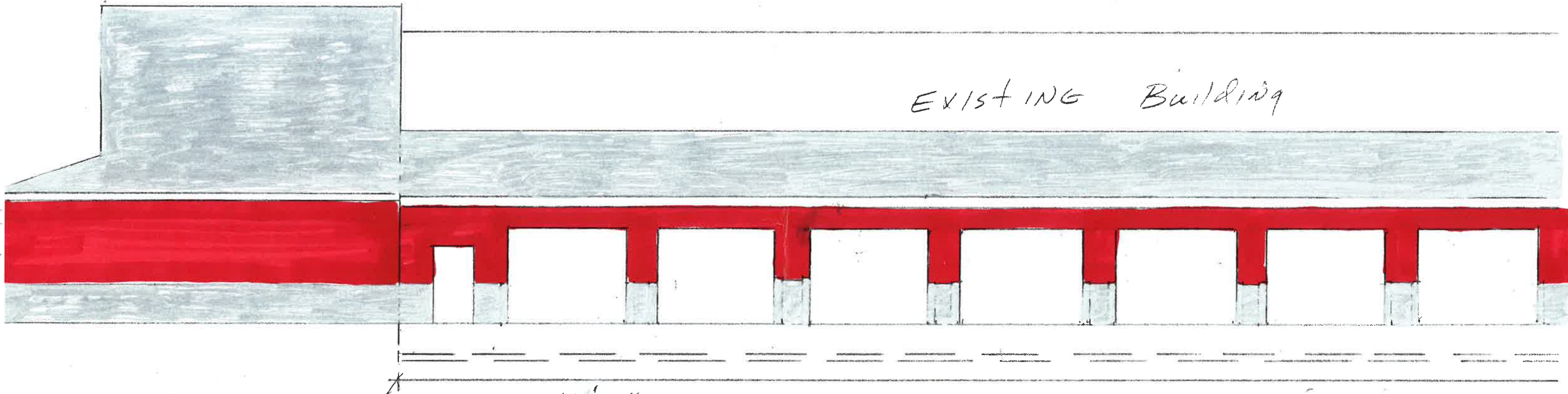




Existing
Building

Right View

SCALE $\frac{1}{4}'' = 1'-0''$



EXISTING Building

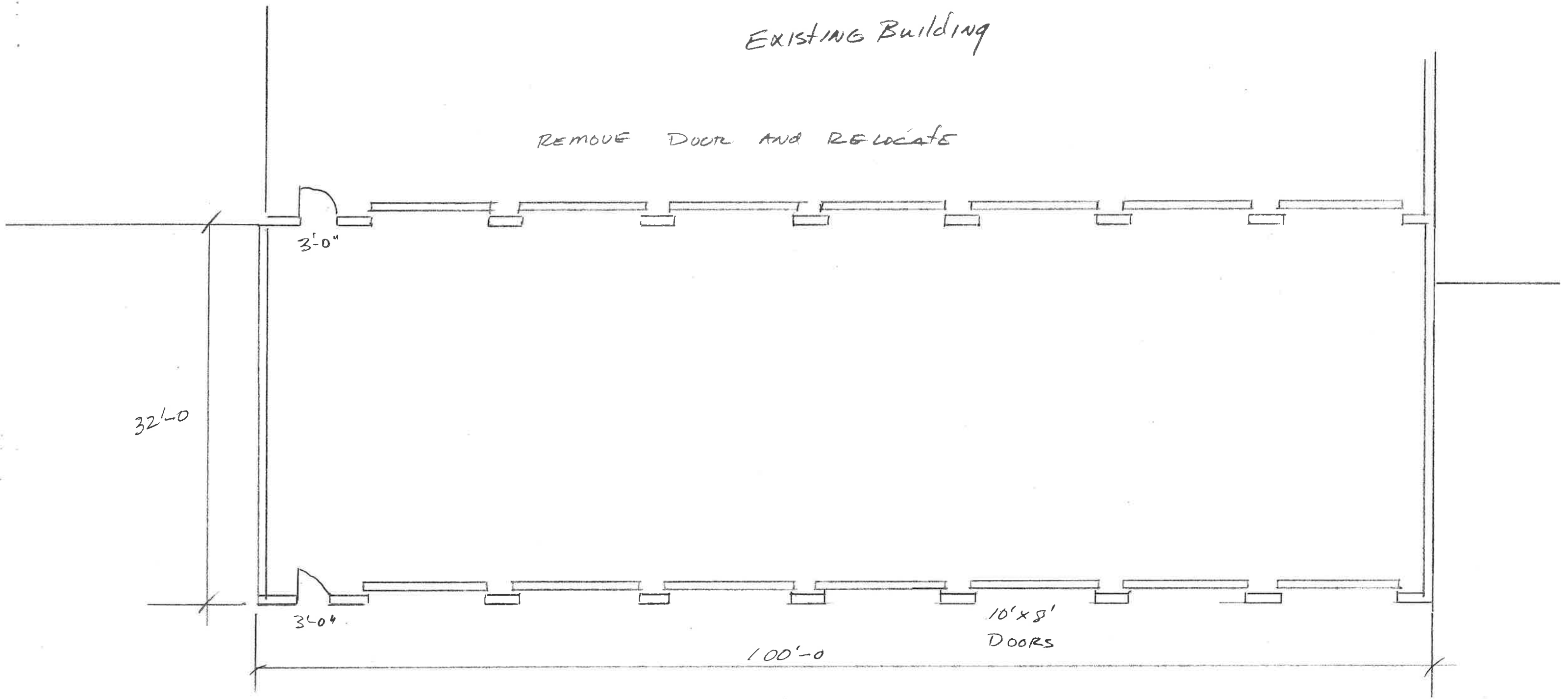
100'-0"

SCALE $\frac{1}{8} = 1-0$ NEW ADDITION

SOUTH VIEW

EXISTING Building

REMOVE DOOR AND RELOCATE



FLOOR PLAN

SCALE 1/8" = 1'-0"

NEW ADDITION